

CDJ

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

VINCENT JOSEPH KOWALEWSKI, III
Petitioner

CIVIL ACTION

v.

JAMES McGRADY, et al.,
Respondent

NO. 10-5467

FILED

SEP 22 2011

MICHAEL E. KUNZ, Clerk
By Dep. Clerk

ORDER

AND NOW, this 22nd day of September, 2011,

upon consideration of the pleadings and the record herein, and after review of the Report and Recommendation of M. Faith Angell, United States Magistrate Judge, it is hereby **ORDERED** that:

- (1) The Report and Recommendation is **APPROVED AND ADOPTED**.
- (2) The Petition for Writ of Habeas Corpus is **DENIED AND DISMISSED WITHOUT AN EVIDENTIARY HEARING**.

There is no probable cause to issue a certificate of appealability.

BY THE COURT:

C. Darnell Jones, II

J.

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V. Kowalewski
P.P.

Pocket to State